

HOUSE BILL 634

By Sanderson

AN ACT to amend Tennessee Code Annotated, Title 57,
relative to authorizing the sale of alcoholic
beverages at retail in the unincorporated areas of
a county.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-106(a)(1), is amended by
deleting the following language:

; provided, that sales at retail as herein defined shall be made only in the
municipalities in such county as herein defined, or within a civil district of such county,
which district shall have a population of thirty thousand (30,000) persons or over,
according to the federal census for the year 1950 or any subsequent census, but which
civil district shall not have lying either wholly or partly within its boundaries a municipality
as herein defined

SECTION 2. Tennessee Code Annotated, Title 57, Chapter 3, Part 1, is amended by
adding the following language as a new section:

57-3-113.

(a) Notwithstanding any rule or law to the contrary, the sale of alcoholic
beverages at retail shall be permitted in the unincorporated area of a county that
approves the sale of alcoholic beverages at retail by local option election in a countywide
referendum called and held in accordance with § 57-3-106.

(b) This section shall apply to any county that:

(1) Approved the sale of alcoholic beverages at retail by local option
election in a countywide referendum prior to July 1, 2015; or

(2) Approves the sale of alcoholic beverages at retail by local option election in a countywide referendum on or after July 1, 2015.

(c) For the purpose of issuing licenses that authorize the sale of alcoholic beverages at retail, the office of sheriff shall constitute a regular full-time law enforcement department.

(d) In accordance with § 57-3-208, the county legislative body or the county beer board is authorized to limit the location of retail package stores and the number of licenses issued within the unincorporated areas of a county that approves the sale of alcoholic beverages at retail.

SECTION 3. Tennessee Code Annotated, Section 57-3-205, is amended by deleting subsection (a) and by substituting instead the following language:

(a) No license entitling the holder thereof to sell or deal in alcoholic beverages at retail shall be granted with respect to premises not situated within:

(1) A municipality as defined in § 57-3-101;

(2) A civil district of a county, which district shall have a population of thirty thousand (30,000) persons or more, according to the federal census for the year 1950 or any subsequent census, but which civil district shall not have lying either wholly or partially within its boundaries a municipality as defined in § 57-3-101; or

(3) The unincorporated area of a county that approves the sale of alcoholic beverages at retail by local option election in a countywide referendum pursuant to § 57-3-106.

SECTION 4. Tennessee Code Annotated, Section 57-3-208(a), is amended by deleting the language “the county mayor or chair of the county commission” and by substituting instead the language “a majority of either the county beer board or the county commission”.

SECTION 5. Tennessee Code Annotated, Section 57-3-101(14), is amended by deleting the language “one thousand (1,000)” each time that it appears and substituting instead the language “nine hundred twenty-five (925)”.

SECTION 6. This act shall take effect August 1, 2015, the public welfare requiring it.